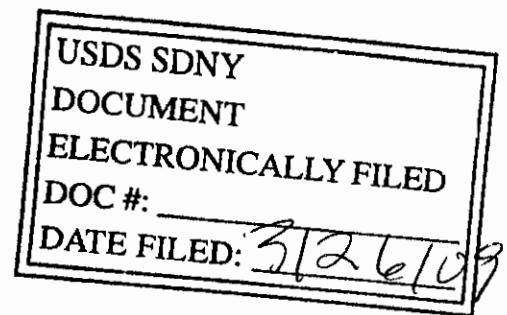


Victor C. Bushell (VB 4209)
 Christopher J. Sovak (CS 3164)
 Cem Ozer (CO 1718)
 Joseph E. Gulmi (JG 5738)
 BUSHELL, SOVAK, OZER & GULMI LLP
 60 E. 42nd Street
 Suite 2925
 New York, New York 10165
 (212) 949-4700

Attorneys for Plaintiff
Farberware Licensing Company LLC



UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

FARBERWARE LICENSING COMPANY LLC,	:	Case No. 09 Civ. 2570 (HB)
Plaintiff,	:	(MHD)
– against –	:	ORDER TO SHOW CAUSE
MEYER MARKETING CO., LTD., MEYER	:	FOR A
INTELLECTUAL PROPERTIES, LTD., and MEYER	:	<u>PRELIMINARY INJUNCTION</u>
CORPORATION, US,	:	ECF CASE
Defendants.	:	

Upon the accompanying declaration of Jan Ratushny, executed on March 16, 2009, declaration of Christopher J. Sovak, Esq., executed March 24, 2009, the Exhibit Book, the declaration of Thomas J. Maronick, DBA, JD, dated March 12, 2009, the Memorandum of Law in Support of Plaintiff's Motion for a Preliminary Injunction, the Complaint and the exhibits thereto, it is

ORDERED that Defendants show cause before a motion term of this Court at the United States District Courthouse, 500 Pearl Street, New York, New York 10007, in Room

15th

3:30 PM

✓ 33, on the ~~15~~ day of April 2009, at ~~10:00 a.m.~~, or as soon thereafter as counsel can be heard, why an order should not be entered pursuant to Rule 65 of the Federal Rules of Civil Procedure preliminarily enjoining Defendants, their officers, directors, agents, servants, employees, attorneys and all persons in active concert and participation with them, pending the trial and determination of this action and until further order of this Court, from, in any manner:

- a. using, or authorizing any third party to use, FLC's FARBERWARE name, trademark, logo or other brand names (whether alone or as part of a compound trademark), on, or in connection with the manufacture, packaging, distribution, sale, offering for sale, advertisement, exhibition, and/or promotion of Prestige® branded products;
- b. representing by any means whatsoever, directly or indirectly, that Prestige® branded products are made or sponsored by FARBERWARE or FLC or otherwise taking any action likely to cause confusion, mistake or deception on the part of purchasers as to the origin or sponsorship of Prestige®-branded products; and
- c. doing any other acts or things calculated or likely to cause confusion or mistake in the mind of the public or to lead purchasers of any kind into the mistaken belief that any Prestige® branded products come from or are the products of FLC or FARBERWARE or are somehow sponsored by or affiliated with FLC or FARBERWARE, or otherwise unfairly competing with FLC or FARBERWARE or misappropriating that which rightfully belongs to

FLC;

Settle. by in the amount of \$ 5000.00 will be paid by 4/15/09

a copy of the papers on which it is based, on Defendants or their counsel on or before

April 6, 2009, at 5 a.m./p.m., shall be deemed good and sufficient service;

IT IS FURTHER ORDERED that Defendants are to serve opposing papers, if

any, on Plaintiff's counsel on or before 4/13/09, 2009, at 3 PM; and

IT IS FURTHER ORDERED that Plaintiff is to serve reply papers, ~~if any, on~~

~~Defendants or their counsel on or before~~ in Court on 4/15 at 3:30 PM.

Dated: New York, New York

March 26, 2009


United States District Judge